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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

NEKTAR THERAPEUTICS,  
Plaintiff/Counter-Defendant,  
v.  
ELI LILLY & CO.,  
Defendant/Counter-Claimant.

CASE NO. 3:23-CV-03943-JD

**[PROPOSED] ORDER GRANTING ELI  
LILLY AND COMPANY'S MOTION TO  
VOLUNTARILY DISMISS ITS  
COUNTERCLAIMS FOR BREACH OF  
CONTRACT AND DEFAMATION WITH  
PREJUDICE**

Judge: Hon. James Donato  
Hearing Date: October 9, 2025  
Time: 1:30 p.m. PT  
Courtroom: 11, 19th Floor

**[PROPOSED] ORDER GRANTING LILLY'S  
MOTION TO VOLUNTARILY DISMISS ITS  
COUNTERCLAIMS WITH PREJUDICE**

CASE No. 3:23-CV-03943-JD

1 Before the Court is Defendant Eli Lilly and Company's ("Lilly") Motion to Voluntarily Dismiss  
2 its Counterclaims for breach of contract and defamation with prejudice (the "Motion"). The Court, having  
3 considered the Motion and/or any submissions or oral argument in connection with the Motion, finding  
4 good cause, hereby ORDERS as follows:

- 5 1. Lilly's Motion is GRANTED; and  
6 2. Lilly's Counterclaims (ECF No. 54 ¶¶ 86-103) are hereby DISMISSED WITH PREJUDICE.

7 **IT IS SO ORDERED.**

8  
9 DATED: October 7, 2025

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11 HON. JAMES PONATO  
12 UNITED STATES DISTRICT JUDGE